

**DETAILED ACTION**

1. Claims 1-3, 5-14, 16-19, and 21-23 are pending. Claims 1, 2, 10, 13, 14, and 17 have been amended and claim 23 has been added in this communication filed 08/12/09 entered as Response After Non-Final Action.
2. The IDS filed 08/05/09 has been considered and entered.
3. The 35 USC 112, Second Paragraph Rejections have been overcome by Applicant's amendment and are hereby withdrawn.
4. The 35 USC 112, First Paragraph Rejections have been overcome by Applicant's convincing arguments and are hereby withdrawn.
5. The 35 USC 101 Rejection for claims 1, 2, 5-11, 17-19, 21, and 22 have been overcome by Applicant's convincing arguments and are hereby withdrawn.

**EXAMINER'S AMENDMENT**

An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in a telephone communication will Mr. Michael G. Pate on 19 October 2009.

23. **(Currently Amended)** In a distributed computing environment, a method for managing an electronic record for compliance with network security policies of an organization, the method comprising:

creating an electronic tag that uniquely identifies the electronic record, the electronic tag being associated with a deletion prevention time period for compliance with the network security policies;

storing the electronic tag in a central repository storing a plurality of electronic tags each associated with one of a plurality of electronic records;

sending the electronic record to a recipient computer; [[and]] evaluating the plurality of electronic tags stored in the central repository to identify one or more electronic records to be deleted based on expiration of the deletion prevention time period;

evaluating a user profile of a user associated with the one or more electronic records to be deletedidentified for deletion to determine a deletion privilege of the user; and

according to the deletion privilege perform at least one of deleting the electronic record to be deletedidentified for deletion and the electronic tag associated therewith stored in the central repository; and

deleting the electronic record to be deletedidentified for deletion without deleting the electronic tag associated therewith stored in the central repository.

***Allowable Subject Matter***

Claims 1-3, 5-14, 16-19, and 21-23 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art Sakano et al. discloses deleting the electronic mail with the added retention period which has expired as detected by a comparison with a timer at a given time period. Sakano et al. does not disclose using the execution of scripting code associated with an electronic tag to prevent an electronic record from being deleted before expiration of the deletion prevention time period associated with the electronic tag and evaluating the electronic tag to determine if the record is to be deleted based on expiration of the deletion time period in claim 11; evaluating the plurality of electronic tags stored in the central repository to identify an electronic tag for which the deletion prevention time period has elapsed and causing deletion of the electronic record associated with the identified electronic tag from the recipient computer in claim 13; evaluating the electronic tag to determine if the electronic record is to be deleted based on expiration of the deletion prevention time period and causing deletion of the electronic record from the recipient computer in claim 17; and according to the deletion privilege perform at least one of deleting the electronic record identified for deletion and the electronic tag associated therewith stored in the central repository; and deleting the electronic record identified for deletion without deleting the electronic tag associated therewith stored in the central repository in claim 23. Neilsen discloses sending electronic mail messages with tags and without tags to the recipient with the system checking for messages having tags and messages in a sender's terminal marked as

acknowledged (or deleted). Neilsen did not disclose using the execution of scripting code associated with an electronic tag to prevent an electronic record from being deleted before expiration of the deletion prevention time period associated with the electronic tag and evaluating the electronic tag to determine if the record is to be deleted based on expiration of the deletion time period in claim 11; evaluating the plurality of electronic tags stored in the central repository to identify an electronic tag for which the deletion prevention time period has elapsed and causing deletion of the electronic record associated with the identified electronic tag from the recipient computer in claim 13; evaluating the electronic tag to determine if the electronic record is to be deleted based on expiration of the deletion prevention time period and causing deletion of the electronic record from the recipient computer in claim 17; and according to the deletion privilege perform at least one of deleting the electronic record identified for deletion and the electronic tag associated therewith stored in the central repository; and deleting the electronic record identified for deletion without deleting the electronic tag associated therewith stored in the central repository in claim 23. Mourier discloses tracking the mail items and generating mail tags but does not disclose using the execution of scripting code associated with an electronic tag to prevent an electronic record from being deleted before expiration of the deletion prevention time period associated with the electronic tag and evaluating the electronic tag to determine if the record is to be deleted based on expiration of the deletion time period in claim 11; evaluating the plurality of electronic tags stored in the central repository to identify an electronic tag for which the deletion prevention time period has elapsed and causing

deletion of the electronic record associated with the identified electronic tag from the recipient computer in claim 13; evaluating the electronic tag to determine if the electronic record is to be deleted based on expiration of the deletion prevention time period and causing deletion of the electronic record from the recipient computer in claim 17; and according to the deletion privilege perform at least one of deleting the electronic record identified for deletion and the electronic tag associated therewith stored in the central repository; and deleting the electronic record identified for deletion without deleting the electronic tag associated therewith stored in the central repository in claim 23. Berkowitz et al discloses forwarding electronic mailboxes and self-cleaning but does not disclose using the execution of scripting code associated with an electronic tag to prevent an electronic record from being deleted before expiration of the deletion prevention time period associated with the electronic tag and evaluating the electronic tag to determine if the record is to be deleted based on expiration of the deletion time period in claim 11; evaluating the plurality of electronic tags stored in the central repository to identify an electronic tag for which the deletion prevention time period has elapsed and causing deletion of the electronic record associated with the identified electronic tag from the recipient computer in claim 13; evaluating the electronic tag to determine if the electronic record is to be deleted based on expiration of the deletion prevention time period and causing deletion of the electronic record from the recipient computer in claim 17; and according to the deletion privilege perform at least one of deleting the electronic record identified for deletion and the electronic tag associated therewith stored in the central repository; and deleting the electronic record identified for

deletion without deleting the electronic tag associated therewith stored in the central repository in claim 23.

An extensive search of the applicable prior art was done but showed no better references.

**Pertinent Prior Art:** (US 4,935,870) Burkett, Jr. et al.; (US 5,040,141) Yazima et al.; (US 5,581,749) Hossain et al.; (5,632,011) Landfield et al.; (US 5,408,33) Kojima et al.; (US 6,370,566) Discolo et al.; (US 5,627,764) Schutzman et al.; Gerber, Cheryl, "ReliaStar Financial"; Computergram International, "ISCOR Adds Message Application Programming Interface Products".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Inquiries**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Flexible Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Trammell James can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ella Colbert/  
Primary Examiner, Art Unit 3696

October 19, 2009